

Mayor Pro Tem Guy Pfalzgraff called the meeting to order at 7:00 p.m. Also present were Councilmembers Robert Jurca, Bill Raley and Ed Sisson, along with City Manager Joe Kerby and City Attorney Mike Schottelkotte. Mayor Cooper was absent. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor Pro Tem led everyone present in the Pledge of Allegiance.

Changes to the Agenda

City Manager Kerby stated that two items had been added to the Agenda after the packets were delivered on Friday afternoon. The revised Agenda was posted on Monday in compliance with the Open Meetings Act. The two items added were Item F - an update on the Volunteers of American Meal Program by Deana Sheriff, and Item H - an application for a temporary right-of-way closure permit for the Delta Motorcycle Show.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the minutes of March 1, 2011, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Public Hearing: Special Events Liquor Permit Application: BPOE Lodge No. 1235

The Clerk reported that the Delta Elks Lodge No. 1235 has submitted an application for a Special Events Liquor Permit for April 9, 2011. A sign notifying the public of tonight's hearing has been posted at the Lodge building at 563 Main for at least ten days as required by law. The application is complete and the required fees have been paid. Staff recommends approving the application.

Mayor Pro Tem Pfalzgraff recessed the regular meeting and opened the public hearing. He asked for comments. When there were none, he closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to approve the Delta Elks Lodge #1235 application for a Special Events Liquor Permit for April 9, 2011. All in favor, motion carried.

Volunteers of American Meal Program Update

Deana Sheriff, Program Director for Senior Community Meals, updated Council on the Volunteers of America Meal Program. The program serves Delta's senior community through the meal site at the Senior Center, and through the Meals on Wheels Program.

Liquor License Renewals: Hoolies Place Tavern License; Daveto's Italian Restaurant Beer & Wine License

The Clerk reported that renewal applications have been submitted for the Hoolies Place Tavern License and for Daveto's Italian Restaurant's Beer and Wine Liquor License. Both applications are complete and all fees have been paid. The Police Department reports revealed no liquor code violations for either licensee. Staff recommends approving the renewals.

It was moved by Councilmember Raley and seconded by Councilmember Sisson to approve the liquor license renewal applications for Hoolies Place and Daveto's Italian Restaurant. All in favor, motion carried.

Temporary ROW Closure Permit Application: Delta Motorcycle Show

Rebecca Angel of Hoolies Place explained that the 4th Annual Delta Motorcycle Show is scheduled for June 4, 2011 from 8:00 a.m. to 6:00 p.m. The plan is to use the parking lots at

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Temporary ROW Closure (Cont.)

220 Main Street and at the Senior Center across the alley. She has applied for a special permit for temporary use of the parking lots.

City Manager Kerby explained that Ms. Angel had raised a question concerning the deposit charged for her special permit for last year's motorcycle show. At that time, the City charged a \$500 refundable deposit. On checking into the background of the deposit, he learned that the \$500 deposit is the amount charged for a special permit for a parade. He suggested that a more reasonable deposit for the permit would be \$50, which is the deposit charged for use of parks facilities.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to approve the special permit for temporary closure or occupation of public right-of-way for the motorcycle show on June 4, 2010, and to lower the deposit to \$50. All in favor, motion carried.

Upper White Ranch Lease Renewal

Utilities Director Steve Glammeyer presented the renewal of a lease agreement with Dan and Roy Long and Rolf and Lynn Sanburg for use of the Upper White Ranch property for grazing purposes. The City has leased this property to the Longs and Sanburgs for grazing for several years. The current lease expired on November 31, 2010, and the renewal would be effective May 1, 2011.

Staff recommends approval of the renewal.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to enter into the lease agreement with Dan and Roy Long, and Rolf and Lynn Sanburg for use of the Upper White Ranch for the purposes of grazing livestock and authorize the City Manager to sign the lease. All in favor, motion carried.

Huffington Land Lease Renewal

Mr. Glammeyer also presented the renewal of a lease agreement with Bonsall Huffington for the pasture adjacent to the wastewater treatment plant. The City has historically leased this property to Mr. Huffington as pasture for his stock.

The Utilities Director explained that the lease expires in May. With this year's renewal, however, staff recommends altering the lease dates to encompass the calendar year. It is thought that the calendar year term would allow the City to more successfully solicit bids for this property in the future.

Staff recommends renewal of the lease for the previous year's amount of \$1,200, once payment has been made in full for the water allotment in the amount of \$1,900.

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to enter into a lease agreement with Bonsall Huffington for the use of City-owned property adjacent to the wastewater treatment plant for the purpose of livestock grazing, and authorize the City Manager to sign the agreement once payment has been received in full. All in favor, motion carried.

Director Glammeyer reported that the contractor has made good progress on the diffuser project since his report at the last Council meeting. He expects to be out of the river early next week. He invited Council to visit the site before backfilling is completed.

Lease of Devil's Thumb Golf Course Snack Bar

Golf Course General Manager Rob Sanders reviewed changes made in the proposed lease since the first draft was mailed out. Mr. Sanders also explained the process used to select Josh Applegate to run the food and beverage service at Devil's Thumb.

Councilmember Jurca wondered what kind of savings the City could expect by turning operation of the food and beverage service over to Mr. Applegate. Mr. Sanders stated that \$30,000 has been budgeted in personnel costs to run both the pro shop and the snack bar. That amount can be reduced to \$18,000 if the pro shop alone is manned by City personnel. Also, \$30,000 budgeted for beverage products and \$23,000 for food products would no longer need to be

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Snack Bar Lease (Cont.)

spent. He added that the City probably did no better than "break even" on the operation of the snack bar.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the lease for the Devil's Thumb Golf Course snack bar with Applegate Ventures, LLC. All in favor, motion carried.

Three Mile Plan

Community Development Director Glen Black presented the Three Mile Plan, which is required by State Statute to be reviewed and updated annually. The Planning Commission reviewed the Plan at their March meeting and recommended approval by Council. Mr. Black explained that the 2011 plan has been changed from the 2010 plan to more accurately reflect a true three-mile area around City boundaries, and also excludes the area which is included within the boundaries of Orchard City.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the Three Mile Plan as presented. All in favor, motion carried.

Elks Week Proclamation

Mayor Pro Tem Pfalzgraff read a proclamation naming the week of April 9 through 14, 2011 as Delta Elks Week.

City Attorney Comments

City Attorney Schottelkotte reported that he will be away the last week of March until April 4.

City Manager Comments

City Manager Kerby reported the following:

- As of today, City crews began work on the golf course pond project.
- Bids for the truck route project are due Thursday, March 17, by 3:00 p.m. The bids will be opened; however the contract will not be awarded until the bids are evaluated, which may take another thirty days.
- Business After Hours will be held at Columbine Mall on Thursday, March 17.
- The County Commissioners will hold a public hearing on the gravel permit request on Monday, March 21, at 2 p.m.
- The final draft of the Downtown Assessment should be received on Wednesday, March 16. The City Manager requested a work session with Downtown, Inc. on Tuesday, March 29. Council agreed to meet on the 29th at 6:00 p.m.
- At the City Manager's request, Acting City Clerk Lynn Williams updated Council on the referendum petition which was received on March 10, 2011.

Councilmember Comments

Mayor Pro Tem Pfalzgraff stated that he would attend the public hearing on the gravel permit on Monday.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to convene an Executive Session for the purpose of discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of City Council or any elected official; the appointment of any person to fill an office of the City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a); or more specifically to discuss the purchase of right-of-way for the truck bypass (Confluence Drive) project. All in favor, motion carried.

At 7:56 p.m., Mayor Pro Tem Pfalzgraff recessed the Regular Meeting and convened the Executive Session.

Regular Meeting, Delta City Council, March 15, 2011 (Cont.)

Executive Session (Cont.)

At 9:26 p.m., the Mayor Pro Tem reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Bill Raley, Robert Jurca, and Ed Sisson, along with Public Works Director Jim Hatheway and Brad Rosenberg (for the purchase of real property discussion), Human Resources Director Jeri Karsten (for the personnel matter), City Manager Joe Kerby, and City Attorney Mike Schottelkotte. For the record, the Mayor Pro Tem asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was adjourned at 9:27 p.m.

Mary Lynn Williams, Acting City Clerk

Mayor Mary Cooper called the meeting to order at 5:33 p.m. Also present were Councilmembers Robert Jurca, Guy Pfalzgraff, Bill Raley and Ed Sisson, along with City Manager Joe Kerby. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Police Department Staffing Presentation

Police Chief Robert Thomas, Commander Jesse Cox, Sgt. Jesse Stanford, and Sgt. Brad Lamb presented a report on staffing needs in the Police Department. The Chief asked Council to consider adding two police officers to his staff. He explained how recent injuries to a couple of his officers, coupled with a vacancy created by a recent resignation, have impacted the Department. The two additional positions would be in addition to the positions held by the injured officers and the officer who is leaving.

City Manager Kerby explained that as a result of staffing issues, the Police Department lobby will be closed on Fridays to give the staff time to keep their written reports current. In addition, the School Resource Officer has been reassigned to patrol.

Chief Thomas reported that industry standards maintain that a City of Delta's size should have 2.2 officers per thousand population. The current ratio is 1.88 officers per thousand. In order to bring the ratio up to the recommended 2.2 per thousand, an additional five officers would need to be hired. In answer to a question from Councilmember Pfalzgraff, the Chief explained that if two additional officers are hired, one would be assigned to patrol and the other to investigations.

Council indicated their support for the Police Department and directed the City Manager to explore funding options for one or two additional police officers.

The meeting was recessed at 6:40 p.m. and reconvened at 6:45 p.m.

Morfitt Property Purchase Contract

Brad Rosenberg presented the contract for purchase of the Morfitt cold storage onion building. He explained that the City would purchase the property from Richard and Bette Morfitt for \$650,000. The majority of the property would then be traded to Union Pacific Railroad for right-of-way for the truck route (Confluence Drive) project.

After Council briefly discussed with Mr. Rosenberg the terms of the contract, it was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to approve the contract for purchase of the Morfitt cold storage onion building for \$650,000 and to authorize the City Manager to sign the contract. All in favor, motion carried.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Pfalzgraff to convene an Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a); or more specifically the purchase of right-of-way for the truck bypass (Confluence Drive) project; and to discuss a personnel matter under CRS Section 24-6-402(4)(f), not involving any specific employees who have requested discussion of the matter in open session; any member of City Council or any elected official; the appointment of any person to fill an office of the City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 6:55 p.m., Mayor Cooper recessed the Special Meeting and convened the Executive Session.

At 9:07 p.m., the Mayor reconvened the Special Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Pfalzgraff, Jurca, Sisson and Raley, along City Manager Joe Kerby, and Brad Rosenberg and Public Works Director Jim Hatheway for the discussion of acquisition of property.

For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive

Special Meeting, Delta City Council, March 29, 2011 (Cont.)

Executive Session (Cont.)

Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was adjourned at 9:08 p.m.

Mary Lynn Williams, Acting City Clerk